

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. CR02-17 RSM

10 Plaintiff,

PROPOSED FINDINGS OF  
FACT AND DETERMINATION  
OF VIOLATIONS OF SUPERVISED  
RELEASE AND ORDER OF  
DETENTION

11 v.

12 KAMAU CURNAL,

13 Defendant.  
14  
15

16 INTRODUCTION

17 I conducted a hearing on alleged violations of supervised release in this case on December 5,  
18 2005. The United States was represented by Ron Friedman. The defendant was represented by  
19 Thomas Campbell. The proceedings were recorded on disk.  
20

21 CONVICTION AND SENTENCE

22 Defendant had been convicted of Conspiracy to Distribute MDMA(Ecstasy) on or about  
23 October 25, 2005. The Hon. Ricardo S. Martinez of this court sentenced Defendant to 30 months  
24 of confinement, followed by 3 years of supervised release.

25 The conditions of supervised release included requirements that defendant comply with the  
26 standard 13 conditions.

27 DEFENDANT'S ADMISSION

28 USPO Michael Larsen alleged that Defendant violated the conditions of supervised release

PROPOSED FINDINGS

PAGE -1-

in two respects:

- (1) Using marijuana on or before August 2, 2005; August 3, 2005; August 9, 2005; September 29, 2005; October 11, 2005 and October 13, 2005, in violation of standard condition number seven.
- (2) Failing to report for drug testing as instructed on August 23, 2005, in violation of supervised release requiring participation, as instructed by the probation officer, in a program approved by the probation office for treatment of narcotic addition, drug dependency or substance abuse, which may include testing to determine if the defendant has reverted back to drugs or alcohol.

At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At today's hearing Defendant admitted the violations numbered one and two, waived any hearing as to whether it occurred, and consented to having the matter set for a disposition hearing before the Hon. Ricardo S. Martinez

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged and set the matter for a disposition hearing.

Defendant has been **detained** pending a final determination by the court.

DATED this 5<sup>th</sup> day of December, 2005.



MONICA J. BENTON  
United States Magistrate Judge

|     |                         |   |                          |
|-----|-------------------------|---|--------------------------|
| cc: | Sentencing Judge        | : | Hon. Ricardo S. Martinez |
|     | Assistant U.S. Attorney | : | Ron Friedman             |
|     | Defense Attorney        | : | Michael Larsen           |
|     | U. S. Probation Officer | : | Michael Larsen           |